

03-06-02

Customer No. 000959

# REQUEST FOR CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(d) (former Rule 1.62)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/234,847	PRIOR APPLICATION FILING DATE: JANUARY 22, 1999
GAZ-013CPCPA	CLASS:	SUBCLASS:	EXAMINER: 1616	ART UNIT: B. RADIO

COMMISSIONER FOR PATENTS  
BOX CPA  
WASHINGTON, DC 20231

## CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: March 4, 2002 Mailing Label Number: EL 939 866 966 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Larry Taylor  
Name of Person Mailing Paper

[Signature]  
Signature of Person Mailing Paper

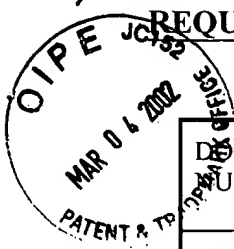
Dear Sir:

This is a request for filing a continued application under 37 CFR 1.53(d), of pending prior application serial no. 09/234,847 filed on January 22, 1999, entitled Pharmaceutically Active Compounds and Methods of Use Thereof which was filed by the following named inventor(s).

FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
Stuart B. Levy	144 Warren Avenue, Boston, MA 02116	U.S.
<u>POST OFFICE ADDRESS</u>		
FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
TGEM Mark Nelson 0000089 120080 09234847	735 Worcester Road, Wellesley, Massachusetts 02481	U.S.
<u>POST OFFICE ADDRESS</u>		
740.00 CH		
648.00 CH		

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this Continued Prosecution Application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ This application discloses only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
  - ☒ the same, or
  - ☐ less than those named in the prior application. Please delete the following named inventors:
- ☐ Enter the amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 but unentered, in the prior application.



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01 FC:131  
02 FC:103

3. ☐ A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 56	MINUS	** 20	= 36
INDEP.	* 1	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

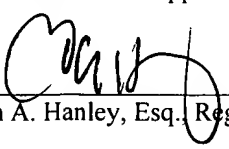
SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
x 9 =	\$0.00	OR	x 18 =	\$ 648.00
x 42 =	\$0.00		x 84 =	\$0.00
+140 =	\$0.00		+ 280 =	\$0.00
BASIC FEE	\$0.00		BASIC FEE	\$740.00
TOTAL	\$0.00	OR	TOTAL	\$1388.00

4. ☒ THE FILING FEE IS NOT BEING PAID AT THIS TIME.
5. ☐ A check in the amount of \_\_\_\_\_ is enclosed for payment of the filing fee.
6. ☐ A verified statement claiming small entity status was filed in the parent application Serial No. \_\_\_\_\_ on \_\_\_\_\_ and is still deemed proper, and its benefit under 37 CFR 1.28(a) is hereby claimed.
7. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, in \_\_\_\_\_, is claimed under 35 U.S.C. 119.
8. ☒ The prior application is assigned of record to: Trustees of Tufts College;  
recorded April 12, 1999, Reel 9876 Frame 0426-0428.
9. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
10. ☒ A request for a Five month extension of time has been submitted in the parent application, Serial No. 09/234,847, in order to establish copendency with the present application (a copy of the request for extension is enclosed).
11. ☐ Also enclosed:
12. ☒ Address all future communications (may only be completed by applicant or attorney or agent of record) to Elizabeth A. Hanley, Esq. at **Customer No. 000959**, whose address is:

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application in the file wrapper of a 37 CFR 1.53(d) application be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

March 4, 2002  
Date

  
Elizabeth A. Hanley, Esq. Reg. No. 33,505

☐ Inventor(s)

☒ Attorney or Agent of Record